

REMARKS

Reconsideration of the present application is respectfully requested.

Prior to this Amendment, Claims 1-51 were pending in the application, with Claims 1 and 30 being in independent form.

The Examiner objected to Claim 11 for informalities, and rejected Claims 1-51 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,701,155 to *Sarkkinen et al* (hereinafter *Sarkkinen '155*) in view of U.S. Patent No. 7,031,708 to *Sarkkinen et al.* (hereinafter *Sarkkinen '708*).

Please cancel Claims 2, 5, 7-9, 13-14, 18-19, 21, 23, 27, 29, 34, 36-37, 40-41, 44, 47-48 and 51, and please amend Claims 1, 3, 11, 16, 20, 22, 24, 26, 28, 30, 38, 42-43, 45 and 48, as shown herein. No new matter has been added. Accordingly, Claims 1, 3-4, 6, 10-12, 15-17, 20, 22, 24-26, 28, 30-33, 35, 38-39, 42-43, 45-46 and 49-50 are currently pending.

Regarding the objection to Claim 11, the Examiner correctly identified that the incorrect acronym "US" was used for --UE-- in the last line of the claim. Accordingly, Applicants have amended the acronym to state --UE--, and respectfully request that the objection be withdrawn.

Regarding the §103(a) rejection of Claims 1-51, Applicants respectfully disagree. As previously set forth, Claims 2, 5, 7-9, 13-14, 18-19, 21, 23, 27, 29, 34, 36-37, 40-41, 44, 47-48 and 51 have been cancelled herein.

In addition, the Examiner alleged that *Sarkkinen '155* teaches all that is recited in Claim 1 EXCEPT transmitting MBMS service-related information of a UE that is in a PMM-Idle mode, which the Examiner alleged is cured by *Sarkkinen '708*. *Sarkkinen* discloses in col. 8, line 49- col. 9,

line 1, Point-to-Point (PtP) connection and Point-to-multipoint (PtM) connection for multicast/broadcast service. The Examiner suggested that this description corresponds to the recitation, “after joining at least one MBMS service”. However, as illustrated by Step 330 of FIG. 3 of this application, joining is a step for notifying a UE to receive a specific MBMS service prior to setting up multicast/broadcast connection for the specific MBMS service, and it is respectfully asserted that the step has no relation with a PtP/PtM connection. That is, the UE can join the intended MBMS service without setting up a multicast/broadcast connection. Moreover, as illustrated by FIG. 5 of this application, service transmission is not performed in the joining step, and the UE is just added into the MBMS service context. Accordingly, “after joining at least one MBMS service” of the present invention is not suggested by the PtP/PtM connection of *Sarkkinen*.

In addition, *Sarkkinen* discloses “*the SGSN should be aware of the number of different service subscribers or multicast groups members in a cell. The SGSN may obtain this information from the RNC to maintain the database based on information received from the UEs in a cell or when the point-to-point connection is appropriate for the multicast data transmission based on a low number of authorized UEs in a cell.*” (Col. 8, line 66 – Col. 9, line 6) Herein, “information received from the UEs” relates to UE Identification based on Col. 9, lines 6-15. Moreover, “this information from the RNC” of *Sarkkinen* is clearly related to UE amount information based on Col. 9, lines 16-24.

Consequently, *Sarkkinen* fails to disclose the recitation of MBMS service-related information to enable the UE to inform the RNC that the user has joined at least one MBMS service, as claimed. Likewise, *Sarkkinen* fails to disclose the similar recitation of an MBMS a-service ID list response message containing at least one service ID indicating at least one MBMS service that the UE has joined, from the SGSN, as recited *inter alia* in Claim 20.

The Examiner also alleged that *Sarkkinen* '708 discloses transmitting MBMS service-related information of a UE that is in a Packet Mobility Management-Idle (PMM-Idle) mode after joining at least one MBMS service, from the UE to the SGSN, as recited *inter alia* in Claim 30. However, *Sarkkinen* '708 merely discloses “to transmit control messages in the form of signaling messages

which are used to establish the connection between the at least one mobile station and the another network” in col. 3, lines 59-62. In light of the fact that the signaling messages of *Sarkkinen* ‘708 are used for setting up a connection, the signaling message is different from “MBMS service-related information of a UE that is in a Radio Resource Control (RRC) connected mode and a Packet Mobility Management-Idle (PMM-Idle) state after joining at least one MBMS service” in the rejected claim.

Referring to col. 3, lines 37-40 of *Sarkkinen* ‘708 as “uplink transmissions of multicast or broadcast control information … to complete the multicast joining or subscription phase”, it is respectfully asserted that these teachings do not relate to “a UE that is … after joining at least one MBMS service”. Referring to col. 5, lines 52-53 of *Sarkkinen* ‘708 as “the at least one mobile station 14, which is in RRC idle state 21”, *Sarkkinen* ‘708 does not disclose “a UE that is in a Radio Resource Control (RRC) connected mode and a Packet Mobility Management-Idle (PMM-Idle) state…”, either.

For at least the foregoing reasons, it is respectfully submitted that the present claims are clearly distinguished from the cited references, and thus the rejection should be withdrawn. Withdrawal of the same is respectfully requested.

Independent Claims 1, 20 and 30 are believed to be in condition for allowance. Without conceding the patentability per se of dependent claims 3-4, 6, 10, 15-17, 20, 22, 24-26, 28, 31-33, 35, 38-39, 42-43, 45-46 and 49- 50, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 3-4, 6, 10, 15-17, 20, 22, 24-26, 28, 31-33, 35, 38-39, 42-43, 45-46 and 49- 50, is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1, 3-4, 6, 10-12, 15-17, 20, 22, 24-26, 28, 30-33, 35, 38-39, 42-43, 45-46 and 49-50, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicants

THE FARRELL LAW FIRM, PC
333 Earle Ovington Blvd., Suite 701
Uniondale, New York 11553
Tel: (516) 228-3565
Fax: (516) 228-8475

PJF/RCC/df